



## State of Louisiana

Louisiana Department of Health  
Bureau of Health Services Financing

### VIA E-MAIL ONLY

March 19, 2021

Mr. Karl Lirette, CEO  
United Healthcare Community Plan  
3838 N. Causeway Blvd., Suite 2600  
Metairie, LA 70002

### **RE: Notice of Monetary Penalty – Failure to Provide NEMT Timely**

Dear Karl:

United Healthcare Community Plan (UHC) has failed to provide timely, medically necessary non-emergent transportation (NEMT) in contravention of its contract with the Louisiana Department of Health (LDH). The contract provides:

7.8.9.2. For medically necessary non-emergent transportation requested by the member or someone on behalf of the member, the MCO shall schedule the transportation and require its NEMT/NEAT provider to arrive and provide services with sufficient time to ensure that the member arrives at least fifteen (15) minutes, but no more than one (1) hour, before the appointment; does not have to wait more than one hour after the conclusion of the treatment for transportation; is not picked up prior to the completion of treatment; and is not in the vehicle for more than one (1) hour in excess of the estimated travel time, as calculated by a mapping application, for each leg of the trip.

On February 5, 2021, LDH received a report from Fresenius Kidney Care (FKC) that member, [REDACTED], was experiencing transportation issues. FKC reported that, since January 1, 2021, the member was not arriving for appointments timely or was dropped off extremely early for appointments, which was affecting the member's chair time for

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dialysis treatments. LDH requested UHC provide trip details for the member from January 1, 2021 to February 5, 2021. On February 10, 2021, UHC provided the member's transportation records and confirmed that the member was experiencing transportation issues. Records show the member was dropped off after her 11:45 AM chair time on 6 days in January and was picked up prior to the 4:30 PM scheduled pickup time on 6 days in January, including one in which the member was picked up an hour and 40 minutes prior to the scheduled pickup time. UHC also confirmed that, due to these issues, the member was reassigned to a different transportation provider with a standing order and assured LDH the member would begin receiving consistent, reliable transportation. This failure to provide timely non-emergency transportation (NEMT) by UHC has affected the member's dialysis treatments and has caused the member harm.

Failure to adhere to the contract requirements cited herein warrants the assessment of a monetary penalty per occurrence per calendar day of non-compliance of \$5,000, in accordance with Section 20.3.3 of the contract between UHC and LDH. A total penalty in the amount of \$60,000 will be retained from the next monthly capitation payment made to UHC. Should UHC, in the future fail to provide timely NEMT, penalties may be assessed for each occurrence each day of UHC's non-compliance.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Stacy Guidry  
Section Chief, Medicaid Program Operations and Compliance

SG/lj cc:

Michael Boutte  
Melanie Doucet  
Veronica Gonzalez  
Tara LeBlanc  
Marisa Naquin  
Justin Owens  
Kim Sullivan  
Christina Wilson  
UHC2-50